

# Congress of the United States

Washington, DC 20515

December 11, 2007

The Honorable Michael Mukasey  
United States Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Attorney General:

We are writing to follow up on the letter sent yesterday by Representative Poe concerning the Department's response to American Jamie Leigh Jones' report that she was assaulted and raped by fellow employees of Halliburton/KBR in Baghdad, and that in the aftermath of this assault she was imprisoned under armed guard for over 24 hours without food or water.<sup>1</sup> Ms. Jones further states that she was told she would be fired if she sought outside medical care and that the results of a medical examination documenting the alleged rape were given by U.S. Army personnel to KBR security and have now "disappeared."

This report of criminal misconduct directed against a U.S. citizen at the hands of employees of an American-based corporation working in Iraq at the behest of the U.S. Government, as well as a possible cover-up and destruction of evidence, is deeply troubling. It also raises broader concerns, which the Judiciary Committee has already been investigating, about the Department's role in enforcing laws protecting Americans who are working in Iraq. In addition to the general questions in yesterday's letter, we ask that you provide answers to the following specific questions as soon as possible, and no later than Tuesday, December 18, 2007:

1. Based on the facts as reported by Ms. Jones, does the Department believe that it has jurisdiction to investigate and prosecute in this matter under the Military Extraterritorial Jurisdiction Act of 2000, 18 U.S.C. § 3261, or section 804 of the USA Patriot Act, 18 U.S.C. § 7(9)? Please explain.
2. Has the Department investigated Ms. Jones' claims?
  - a) If not, why not?
  - b) If so, please describe the course and current status of the investigation and whether it includes the apparent destruction of evidence described above.
  - c) If so, what offices of the Department have participated in the investigation? Which Assistant Attorney General is responsible for this

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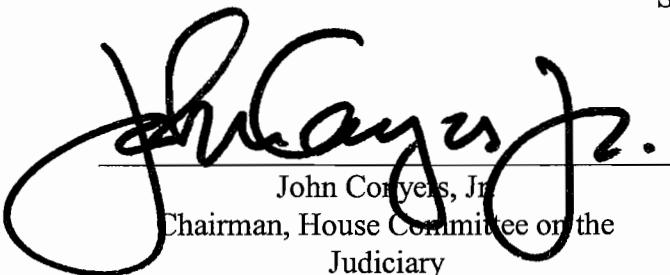
<sup>1</sup> Ross, Sauer & Rood, *Victim: Gang-Rape Cover-Up by U.S. Halliburton/KBR*, ABC News, Dec. 10, 2007 (<http://abcnews.go.com/print?id=3977702>). All quotes in this letter are from this article.

and other investigations of alleged crimes within the Department's jurisdiction committed in Iraq?


- d) If so, is the investigation limited to events alleged to have occurred in Iraq, or is the Department investigating events that may have occurred in countries other than Iraq, including the United States?
3. ABC reports a statement by KBR that "it was 'instructed to cease its own investigation by U.S. government authorities 'because they were assuming sole responsibility for the criminal investigations.'"
- a) Did the Department issue such an instruction to KBR?
  - b) If so, please describe the exact terms of the instruction and explain when, why, and by whom it was issued.
  - c) If not, do you have any information regarding whether any other component of the US government issued such an instruction? Which one?
  - d) If some other agency issued the instruction, what is the basis for an assertion that an agency of the US Government other than the Justice Department can have "sole responsibility" for all related criminal investigations? Do you agree that the Department should be involved from the outset of an investigation into a serious criminal matter such as this one?

Please direct your responses and any questions to the Judiciary Committee office, 2138 Rayburn House Office Building, Washington, DC 20515 (Tel.: 202-25-3951; fax: 202-225-7680) and to Rep. Poe's office, 1605 Longworth House Office Building, Washington, DC 20515 (Tel.: 202-225-6565; fax: 202-225-5547). Thank you for your prompt cooperation in this matter.

Sincerely,



John Conyers, Jr.  
Chairman, House Committee on the  
Judiciary



Ted Poe  
Member of Congress

cc: Hon. Lamar S. Smith  
Hon. Brian Benczkowski